

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

Bail Appl..No. 4878 of 2015 ()

CRIME NO. 463/2015 OF MANKARA POLICE STATION , PALAKKAD DISTRICT

APPLICANT/ACCUSED:

**AARUMUHKAN, AGED 65 YEARS,
S/O.APPU, KUNIYAMPADAM, MANKARA P.O.,
PALAKKAD DISTRICT. PIN - 678 613.**

**BY ADVS.SRI.PRASUN.S
SRI.PAUL MATHEW (PERUMPILLIL)**

RESPONDENT/COMPLAINANT - STATE:

**STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,ERNAKULAM. PIN - 682 031.
REPRESENTING S.I. OF POLICE,
MANKARA POLICE STATION.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

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K. ABRAHAM MATHEW, J.

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B.A.No. 4878 of 2015

Dated this the 18th day of August, 2015

ORDER

Petition filed under Section 438 Cr.P.C.

2. Petitioner is the accused in Crime No. 463 of 2015 of Mankara Police Station. He is said to have committed the offences under Sections 3 read with Section 6(A), 13(A), 17 and 18(A) of the Kerala Money Lenders Act and also the Kerala Prohibition of Charging Exorbitant Interest Act, 2014.

3. The prosecution case is that he was conducting money lending business without licence and he used to charge exorbitant rate of interest.

4. Heard.

5. The petitioner has filed a complaint against the victim on a dishonoured cheque. The search conducted by the Investigating Officer on 14.08.2015 did not result in seizure of any incriminating materials. There is no material to show that the petitioner has entered into any other monetary transaction. In the light of these facts, I am inclined to grant his prayer.

In the result, this application is allowed.

- 1)The petitioner shall be released on bail on his executing a bond for Rs.50,000/- (Rupees fifty thousand only)with two solvent sureties each for the like sum if he is arrested by the Police in connection with this case.*
 - 2)He shall surrender his passport before the lower court concerned or if he does not have one, he shall file an affidavit to that effect within five days of his release.*
 - 3)He shall not leave India without the previous permission of the court of enquiry or trial court as the case may be.*
 - 4)He shall appear before the Investigating Officer between 10 a.m. and 11 a.m. every Wednesday for three months or till the final report is filed, whichever is earlier.*
 - 5)He shall not intimidate or attempt to influence the witnesses.*
 - 6)He shall not destroy or tamper with evidence.*
 - 7)He shall not get himself involved in any other criminal case while he is on bail.*
- If the petitioner surrenders before the Magistrate this order is not applicable and the learned Magistrate may pass appropriate orders.*

In case of violation of any of the above conditions, the learned Magistrate is empowered to cancel the bail in

accordance with the law.

Sd/-

**K. ABRAHAM MATHEW,
JUDGE**

DST

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P.A. To Judge